

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

MCFADDEN COMMUNICATIONS, LLC,

Plaintiff,

v.

No.: _____

THE TRAVELERS INDEMNITY
COMPANY OF AMERICA,

Defendant.

NOTICE OF REMOVAL

Petitioner, The Travelers Indemnity Company of Connecticut (hereinafter "Petitioner"), pursuant to 28 U.S.C. §§ 1441 *et seq.*, states as follows:

1. Petitioner is a defendant in an action styled *McFadden Communications, LLC v. The Travelers Indemnity Company of America*, Case No. CH-09-0864, which was filed in the Chancery Court for Shelby County, Tennessee, on April 22, 2009. A copy of the Complaint filed in this action is attached hereto and made a part hereof by reference as Exhibit 1.

2. Petitioner received service of the summons and the Complaint on or about May 1, 2009. A copy of the Summons received by Petitioner is attached hereto as Exhibit 2.

3. The amount in controversy in the above-described civil action exceeds the sum of Seventy-Five Thousand Dollars (\$75,000.00) exclusive of interest and costs.

4. Upon information and belief, the Plaintiff is a citizen of the State of Tennessee. (See Complaint paragraph no. 1)

5. Petitioner is now, and was at the time of the filing of the Complaint, a Connecticut corporation with its principal place of business in Connecticut.

6. The diversity of citizenship requirement is met because the Plaintiff is not a resident of the same state as Petitioner.

7. Therefore, the United States District Court would have had original subject matter jurisdiction under 28 U.S.C. § 1332.

8. Petitioner will give written notice of the filing of this notice to Plaintiff, as required by 28 U.S.C. § 1446(d).

9. A copy of this notice will be filed with the clerk for the Shelby County Chancery Court, located in Memphis, Tennessee, as required by 28 U.S.C. § 1446(d).

WHEREFORE, Petitioner respectfully prays that the above-entitled action now pending against it in the Chancery Court for Shelby County, Tennessee, proceed in this Court as an action properly removed hereto.

Respectfully Submitted,

BLACK McLAREN JONES RYLAND & GRIFFEE
A Professional Corporation

/s/ Michael G. McLaren

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